United Nations S/RES/1633 (2005)

Security Council

Distr.: General
21 October 2005

Resolution 1633 (2005)

Adopted by the Security Council at its 5288th meeting, on 21 October 2005

The Security Council,

Recalling its previous resolutions and statements of its President relating to the situation in Côte d'Ivoire,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and *recalling* the importance of the principles of good neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the Agreement signed by the Ivorian political forces in Linas-Marcoussis on 24 January 2003 (S/2003/99) (the Linas-Marcoussis Agreement) approved by the Conference of Heads of State on Côte d'Ivoire, held in Paris on 25 and 26 January 2003, the Agreement signed in Accra on 30 July 2004 (the Accra III Agreement) and the Agreement signed in Pretoria on 6 April 2005 (the Pretoria Agreement),

Reaffirming that the Linas-Marcoussis, Accra III and Pretoria Agreements remain the appropriate framework for the peaceful and lasting solution to the crisis in Côte d'Ivoire,

Having taken note of the decision of the Peace and Security Council of the African Union adopted at its 40th meeting at the level of the Heads of State and Government held on 6 October 2005 in Addis Ababa ("the decision of the Peace and Security Council") (S/2005/639),

Having taken note also of the creation of an International Working Group at ministerial level ("the International Working Group") and of a day-to-day mediation undertaken by representatives of the international working group ("the Mediation Group"),

Having heard on 13 October 2005 a briefing by the Minister of Foreign Affairs of Nigeria and the Commissioner for Peace and Security of the African Union on behalf of the African Union, the Special Representative of the Secretary-General and the High Representative for elections,

Expressing its serious concern at the persistence of the crisis and the deterioration of the situation in Côte d'Ivoire,

05-56435 (E)

Reiterating its firm condemnation of all violations of human rights in Côte d'Ivoire,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Commends* the continued efforts of the African Union, in particular President Olusegun Obasanjo of Nigeria, Chair of the African Union, and President Thabo Mbeki of the Republic of South Africa, Mediator of the African Union, the Economic Community of West African States (ECOWAS) and the leaders of the region to promote peace and stability in Côte d'Ivoire, and *reiterates* its full support for them;

2. *Commends also* the constant efforts of the Special Representative of the Secretary-General, Mr. Pierre Schori, and of the High Representative for the elections, Mr. Antonio Monteiro, and *reiterates* its full support for them, including for the arbitration and certification role of the High Representative for elections;

3. *Reaffirms* its endorsement of the observation of ECOWAS and of the Peace and Security Council on the end of the mandate of President Laurent Gbagbo on 30 October 2005 and the impossibility of organizing presidential elections on the scheduled date, and of the decision of the Peace and Security Council, including its decision on the fact that President Gbagbo shall remain Head of State from 31 October 2005 for a period not exceeding 12 months, and *demands* that all the parties signatories to the Linas-Marcoussis, Accra III and Pretoria Agreements as well as all the Ivorian parties concerned implement it fully and without delay;

4. *Supports* the establishment of the International Working Group at a ministerial level and the Mediation Group, which should both be co-chaired by the Special Representative of the Secretary-General, *urges* the international working group to meet as soon as possible, and *affirms* that the secretariat of the international working group shall be coordinated by the United Nations, in accordance with paragraph 10, article (vi) of the decision of the Peace and Security Council;

5. *Urges* the Chairperson of the African Union, the Chairperson of ECOWAS and the African Union Mediator to consult immediately with all the Ivorian parties in order to ensure that a new Prime Minister acceptable to all the Ivorian parties signatories to the Linas-Marcoussis Agreement shall be appointed by 31 October 2005, in accordance with paragraph 10, article (ii) of the decision of the Peace and Security Council, and to maintain close contact with the Secretary-General throughout the process;

6. *Expresses* its full support for paragraph 10, article (iii) of the decision of the Peace and Security Council which stresses that the Ministers shall be accountable to the Prime Minister who shall have full authority over his or her cabinet;

7. *Reiterates* the importance of having all ministers to participate fully in the Government of National Reconciliation as underscored in the statement by its president dated 25 May 2004 (S/PRST/2004/17), *considers* therefore that, when a minister is not participating fully in the Government of National Reconciliation, his

or her portfolio should be assumed by the Prime Minister and *requests* the International Working Group to monitor closely the situation in this regard;

8. *Stresses* that the Prime Minister must have all the necessary powers according to the Linas-Marcoussis Agreement and all the governmental financial, material and human resources, particularly with regard to security, defence and electoral matters, to ensure the effective functioning of the Government, to guarantee security and the redeployment of the administration and public services throughout the territory of Côte d'Ivoire, to lead the programme of disarmament, demobilization and reintegration (DDR) and the operations of disarmament and dismantling of militias, and to ensure the fairness of the identification process and of voter registration, leading to the organization of free, open, fair and transparent elections, with the support of the United Nations;

9. *Calls upon* all Ivorian parties to ensure that the Prime Minister has all powers and resources described in paragraph 8 above and faces no hindrance or difficulty in implementing his tasks;

10. *Requests* the International Working Group, on the basis of paragraph 10, articles (iii) and (v) of the decision of the Peace and Security Council, to verify that the Prime Minister has all the necessary powers and resources described in paragraph 8 above and immediately to report to the Security Council any hindrance or difficulty which the Prime Minister may face in implementing his tasks and to identify those responsible;

11. *Invites* the International Working Group, noting that the mandate of the National Assembly will end by 16 December 2005, to consult with all the Ivorian parties, in liaison as appropriate with the Forum for National Dialogue as referred to in paragraph 11 of the decision of the Peace and Security Council, with a view to ensure that the Ivorian institutions function normally until the holding of the elections in Côte d'Ivoire, and to keep the Security Council and the Peace and Security Council of the African Union informed in that regard;

12. *Considers*, as noted by the Peace and Security Council in paragraph 9 of its decision, that additional measures are required to expedite the implementation of some provisions of the Linas-Marcoussis, Accra III and Pretoria Agreements, in particular the DDR process, the dismantling and disarmament of militias and the creation of conditions for holding free, fair, open and transparent elections, including the identification process and the registration of voters;

13. *Requests* therefore the International Working Group to draw up as soon as possible a road map in consultation with all Ivorian parties, with a view to hold free, fair, open and transparent elections as soon as possible and no later than 31 October 2006, concerning in particular:

(a) The appointment of a new Prime Minister as provided for in paragraph 5 above;

(b) The implementation of all outstanding issues as referred to in paragraph 12 above, recalling in this regard that the concomitant implementation of the identification process and of the cantonment of the forces, as provided for in the national programme for disarmament, demobilization, reinsertion and rehabilitation signed in Yamoussoukro on 14 May 2005, would expedite the creation of conditions for holding free, fair, open and transparent elections;

14. *Demands* that the Forces nouvelles proceed without delay with the DDR programme in order to facilitate the restoration of the authority of the State throughout the national territory, the reunification of the country and the organization of the elections as soon as possible;

15. *Affirms* that the identification process must also start without delay;

16. *Demands* that all Ivorian parties stop all incitement to hatred and violence in radio and television broadcasting as well as in any other media;

17. *Demands* also the immediate disarmament and dismantling of militias throughout the national territory;

18. *Recalls* paragraphs 5 and 7 of the decision of the Peace and Security Council, and *demands* that all Ivorian parties refrain from any use of force and violence, including against civilians, and foreigners, and from all kinds of disruptive street protests;

19. *Urges* countries neighbouring Côte d'Ivoire to prevent any cross-border movement of combatants or arms into Côte d'Ivoire;

20. *Reiterates* its serious concern at all violations of human rights and international humanitarian law in Côte d'Ivoire, and *urges* the Ivorian authorities to investigate these violations without delay in order to put an end to impunity;

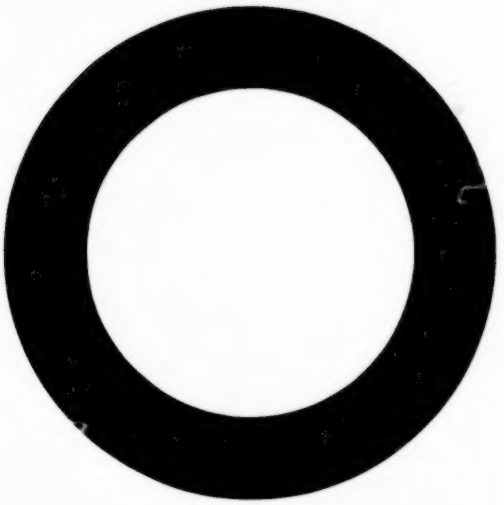
21. *Condemns* the serious attacks against the personnel of the United Nations Operation in Côte d'Ivoire (UNOCI) and the unacceptable obstacles to the freedom of movement of UNOCI and French forces, *demands* that all Ivorian parties cooperate fully in their operations, in particular by guaranteeing the safety, security and freedom of movement of their personnel, as well as associated personnel, throughout the territory of Côte d'Ivoire, and *affirms* that any obstacle to their freedom of movement or to the full implementation of their mandates would not be tolerated;

22. *Takes note of* paragraph 13 of the decision of the Peace and Security Council, *recalls* the statement of its President dated 14 October 2005 (S/PRST/2005/49) and its decisions under resolution 1609 (2005) of 24 June 2005, including paragraphs 4, 5 and 6, and *expresses* its intention to review the troop level of UNOCI by the end of UNOCI's mandate on 24 January 2006, in the light of the situation in Côte d'Ivoire;

23. *Recalls* paragraph 12 of the decision of the Peace and Security Council and its support for the individual measures provided for in paragraphs 9 and 11 of resolution 1572 (2004) of 15 November 2004, and *reaffirms* its readiness to impose those measures against any person who blocks the implementation of the peace process, as defined in particular by the road map mentioned in paragraph 13 above, who is determined as responsible for serious violations of human rights and international humanitarian law in Côte d'Ivoire, who incites publicly hatred and violence, or against any person or entity who is determined to be in violation of the arms embargo;

24. *Urges* the International Working Group, which shall receive regular reports from the Mediation Group, and the sanctions committee established by resolution 1572 (2004) of 15 November 2004 to evaluate, monitor and follow up closely the progress made with regard to the issues mentioned in paragraphs 14 to 18 above;

25. *Decides* to remain actively seized of the matter.



United Nations S/RES/1634 (2005)

Security Council

Distr.: General
28 October 2005

Resolution 1634 (2005)

Adopted by the Security Council at its 5295th meeting, on 28 October 2005

The Security Council,

Recalling all its previous resolutions on Western Sahara, including resolution 1495 (2003) of 31 July 2003, resolution 1541 (2004) of 29 April 2004, and resolution 1598 (2005) of 28 April 2005,

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and States of the region to continue to cooperate fully with the United Nations to end the current impasse and to achieve progress towards a political solution,

Taking note of the POLISARIO Front's 18 August 2005 release of the remaining 404 Moroccan prisoners of war in compliance with international humanitarian law, and *calling upon* the parties to continue to cooperate with the International Committee of the Red Cross to resolve the fate of persons who are unaccounted for since the beginning of the conflict,

Welcoming the appointment of the Secretary-General's Personal Envoy for Western Sahara Peter van Walsum, and *noting* that he recently completed consultations in the region,

Having considered the report of the Secretary-General of 17 October 2005 (S/2005/648),

1. *Reaffirms* the need for full respect of the military agreements reached with MINURSO with regard to the ceasefire;

2. *Calls on* Member States to consider voluntary contributions to fund Confidence Building Measures that allow for increased contact between separated family members, especially family unification visits;

3. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2006;

05-57712 (E)

4. *Requests* that the Secretary-General provide a report on the situation in the Western Sahara before the end of the mandate period and requests the Secretary-General's Personal Envoy to provide a briefing, within three months of the adoption of the resolution, on the progress of his efforts;

5. *Decides* to remain seized of the matter.

United Nations S/RES/1635 (2005)

Security Council

Distr.: General
28 October 2005

Resolution 1635 (2005)

Adopted by the Security Council at its 5296th meeting, on 28 October 2005

The Security Council,

Recalling its resolutions and the statements by its President on the Democratic Republic of the Congo, in particular resolutions 1565 of 1 October 2004, 1592 of 30 March 2005, 1596 of 18 April 2005 and 1621 of 6 September 2005 and 1628 of 30 September 2005, and the statement of 4 October 2005 (S/PRST/2005/46),

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo as well as of all States in the region, and its support for the process of the Global and All Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed in Pretoria on 17 December 2002,

Underlining the importance of elections as the foundation for the longer term restoration of peace and stability, national reconciliation and establishment of the rule of law in the Democratic Republic of the Congo,

Paying tribute to the donor community for the assistance they provide to the Democratic Republic of the Congo, and in particular to the electoral process, and *encouraging* them to maintain it,

Welcoming the interest and commitment shown by the Congolese authorities to promote good governance and transparent economic management, and *urging* all the components of the Government of National Unity and Transition to strengthen their efforts in continuing to build consensus in this regard,

Reiterating its serious concern regarding the continuation of hostilities by militias and foreign armed groups in the eastern part of the Democratic Republic of the Congo, and at the threat they pose to the holding of elections in the Democratic Republic of the Congo,

Deploring the violations of human rights and international humanitarian law carried out by these militias and groups and *stressing the urgent need* for those responsible for these crimes to be brought to justice,

Recognizing the link between the illegal exploitation of natural resources, the illicit trade in such resources and the proliferation and trafficking of arms as one of

the factors fuelling and exacerbating conflicts in the Great Lakes region of Africa, and in particular in the Democratic Republic of the Congo,

Taking note of the nineteenth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), dated 26 September 2005 (S/2005/603), and of its recommendations,

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate of MONUC until 30 September 2006;

2. *Having taken note of* the recommendations described in paragraphs 27 to 29 of the report of the Secretary-General, *authorizes* an increase of 300 personnel in the military strength of MONUC to allow for the deployment of an infantry battalion in Katanga, with enabling assets including its own air mobility and appropriate medical support, to provide additional security within its area of operations during the electoral period;

3. *Underlines* the temporary character of the increase referred to in the previous paragraph, and *requests* the Secretary-General to take the necessary steps with a view to downsizing or repatriating this additional strength from 1 July 2006 at the latest, and to report to the Council before 1 June 2006 on the assessment to be made for that purpose;

4. *Calls* on the Transitional institutions and on all Congolese parties to ensure that free, fair and peaceful elections take place, and that the timetable for polls developed by the Independent Electoral Commission is scrupulously respected, and *underlines* in this regard that it is the responsibility of the Congolese authorities to adopt the necessary legislation without further delay;

5. *Calls* on the Government of National Unity and Transition to carry out reform of the security sector, through the expeditious integration of the Armed Forces and of the National Police of the Democratic Republic of the Congo and in particular by ensuring adequate payment and logistical support for their personnel;

6. *Calls* on the donor community, as a matter of urgency, to continue to engage firmly in the provision of assistance needed for the integration, training and equipping of the Armed Forces and of the National Police of the Democratic Republic of the Congo, and *urges* the Government of National Unity and Transition to promote all possible means to facilitate and expedite cooperation to this end;

7. *Requests* MONUC, within its capacity and mandate, and in consultation with international financial institutions and donors, to continue to provide advice and assistance as well as the necessary support, to the effective follow-up to the meeting on 21 September 2005 between the Espace présidentiel and the International Committee in Support of the Transition, to strengthen support for good governance and transparent economic management;

8. *Welcomes* the action taken by MONUC in investigating and dealing with instances of sexual exploitation and abuse and its efforts to put in place preventive measures, *requests* the Secretary-General to continue to take the necessary measures to achieve actual compliance in MONUC with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and *urges*

troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

9. *Decides* to remain actively seized of the matter.

United Nations S/RES/1636 (2005)

Security Council

Distr.: General
31 October 2005

Resolution 1636 (2005)

Adopted by the Security Council at its 5297th meeting, on 31 October 2005

The Security Council,

Reaffirming all its previous relevant resolutions, in particular resolutions 1595 (2005) of 7 April 2005, 1373 (2001) of 28 September 2001, and 1566 (2004) of 8 October 2004,

Reiterating its call for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security,

Having examined carefully the report of the international independent investigation Commission (S/2005/662) ("the Commission") concerning its investigation into the 14 February 2005 terrorist bombing in Beirut, Lebanon, that killed former Lebanese Prime Minister Rafiq Hariri and 22 others, and caused injury to dozens of people,

Commending the Commission for the outstanding professional work it has accomplished under difficult circumstances in assisting the Lebanese authorities in their investigation of all aspects of this terrorist act, and taking note of the Commission's conclusion that the investigation is not yet complete,

Commending States which have provided assistance to the Commission in the discharge of its duties,

Commending also the Lebanese authorities for the full cooperation they have provided to the Commission in the discharge of its duties, in accordance with paragraph 3 of resolution 1595 (2005),

Recalling that pursuant to its relevant resolutions, all States are required to afford one another the greatest measure of assistance in connection with criminal investigations or criminal proceedings relating to terrorist acts, and recalling in particular that it had requested in its resolution 1595 (2005) all States and all parties to cooperate fully with the Commission,

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Taking note of the Commission's findings that although the inquiry has already made considerable progress and achieved significant results, it is of the utmost importance to continue the trail both within and outside Lebanon in order to elucidate fully all aspects of this terrorist act, and in particular to identify and hold accountable all those who bear responsibility in its planning, sponsoring, organization and perpetration,

Mindful of the demand of the Lebanese people that all those responsible for the terrorist bombing that killed former Lebanese Prime Minister Rafiq Hariri and others be identified and held accountable,

Acknowledging in this connection the letter of the Prime Minister of Lebanon to the Secretary-General of 13 October 2005 (S/2005/651) requesting that the mandate of the Commission be extended to enable the Commission to continue to assist the competent Lebanese authorities in any further investigation of the various dimensions of the terrorist crime,

Acknowledging also the concurrent recommendation of the Commission that continued international assistance is needed to help the Lebanese authorities get right to the bottom of this terrorist act, and that a sustained effort on the part of the international community to establish an assistance and cooperation platform together with the Lebanese authorities in the field of security and justice is essential,

Willing to continue to assist Lebanon in the search for the truth and in holding those responsible for this terrorist act accountable for their crime,

Calling upon all States to extend to the Lebanese authorities and to the Commission the assistance they may need and request in connection with the inquiry, and in particular to provide them with all relevant information they may possess pertaining to this terrorist attack,

Reaffirming its profound commitment to the national unity and stability of Lebanon, emphasizing that the future of Lebanon should be decided through peaceful means by the Lebanese themselves, free of intimidation and foreign interference, and warning in this regard that attempts to undermine the stability of Lebanon will not be tolerated,

Taking note of the Commission's conclusions that, given the infiltration of Lebanese institutions and society by the Syrian and Lebanese intelligence services working in tandem, it would be difficult to envisage a scenario whereby such a complex assassination plot could have been carried out without their knowledge, and that there is probable cause to believe that the decision to assassinate former Prime Minister Rafiq Hariri could not have been taken without the approval of top-ranked Syrian security officials,

Mindful of the Commission's conclusion that while the Syrian authorities, after initial hesitation, have cooperated to a limited degree with the Commission, several Syrian officials have tried to mislead the investigation by giving false or inaccurate statements,

Convinced that it is unacceptable in principle that anyone anywhere should escape accountability for an act of terrorism for any reason, including because of his own obstruction of the investigation or failure to cooperate in good faith,

Determining that this terrorist act and its implications constitute a threat to international peace and security,

Emphasizing the importance of peace and stability in the region, and the need for peaceful solutions,

Acting under Chapter VII of the Charter of the United Nations,

== I ==

1. *Welcomes* the report of the Commission;

2. *Takes note with extreme concern* of the Commission's conclusion that, there is converging evidence pointing at the involvement of both Lebanese and Syrian officials in this terrorist act, and that it is difficult to envisage a scenario whereby such complex assassination could have been carried out without their knowledge;

3. *Decides* as a step to assist in the investigation of this crime and without prejudice to the ultimate judicial determination of the guilt or innocence of any individual:

(a) that all individuals designated by the Commission or the Government of Lebanon as suspected of involvement in the planning, sponsoring, organizing or perpetrating of this terrorist act, upon notification of such designation to and agreement of the Committee established in subparagraph (b) below, shall be subject to the following measures:

- All States shall take the measures necessary to prevent entry into or transit through their territories of such individuals, provided that nothing in this paragraph shall obligate a state to refuse entry into its territory to its own nationals, or, if such individuals are found within their territory, shall ensure in accordance with applicable law that they are available for interview by the Commission if it so requests;

- All States shall: freeze all funds, financial assets and economic resources that are on their territories that are owned or controlled, directly or indirectly, by such individuals, or that are held by entities owned or controlled, directly or indirectly, by such individuals or by persons acting on their behalf or at their direction; ensure that no funds, financial assets or economic resources are made available by their nationals or by any persons within their territories to or for the benefit of such individuals or entities; and cooperate fully in accordance with applicable law with any international investigations related to the assets or financial transactions of such individuals, entities or persons acting on their behalf, including through sharing of financial information;

(b) to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council to undertake the tasks described in the annex to this resolution;

(c) that the Committee and any measures still in force under subparagraph (a) will terminate when the Committee reports to the Security Council that all investigative and judicial proceedings relating to this terrorist attack have been completed, unless otherwise decided by the Security Council;

4. *Determines* that the involvement of any State in this terrorist act would constitute a serious violation by that State of its obligations to work to prevent and refrain from supporting terrorism, in accordance in particular with resolutions 1373 (2001) and 1566 (2004) and that it would amount also to a serious violation of its obligation to respect the sovereignty and political independence of Lebanon;

5. *Takes note with extreme concern* also of the Commission's conclusion that, while the Syrian authorities have cooperated in form but not in substance with the Commission, several Syrian officials tried to mislead the Commission by giving false or inaccurate information, and determines that Syria's continued lack of cooperation to the inquiry would constitute a serious violation of its obligations under relevant resolutions, including 1373 (2001), 1566 (2004) and 1595 (2005);

6. *Takes note* of the recent statement by Syria regarding its intention now to cooperate with the Commission and expects the Syrian Government to implement in full the commitments it is now making;

== II ==

7. *Acknowledges* that continued assistance from the Commission to Lebanon, as requested by its Government in its letter to the Secretary-General of 13 October 2005 and recommended by the Commission in its report, remains necessary to elucidate fully all aspects of this heinous crime, thus enabling that all those involved in the planning, sponsoring, organizing and perpetrating of this terrorist act, as well as their accomplices, be identified and brought to justice;

8. *Welcomes* in this regard the decision of the Secretary-General to extend the mandate of the Commission until 15 December 2005, as authorized by the Security Council in its resolution 1595 (2005), and decides that it will extend the mandate further if recommended by the Commission and requested by the Lebanese Government;

9. *Commends* the Lebanese authorities for the courageous decisions they have already taken in relation to the inquiry, including upon recommendation of the Commission, in particular the arrest and indictment of former Lebanese security officials suspected of involvement in this terrorist act, and encourages the Lebanese authorities to persist in their efforts with the same determination in order to get right to the bottom of this crime;

== III ==

10. *Endorses* the Commission's conclusion that it is incumbent upon the Syrian authorities to clarify a considerable part of the questions which remain unresolved;

11. *Decides* in this context that:

(a) Syria must detain those Syrian officials or individuals whom the Commission considers as suspected of involvement in the planning, sponsoring, organizing or perpetrating of this terrorist act, and make them fully available to the Commission;

(b) the Commission shall have vis-à-vis Syria the same rights and authorities as mentioned in paragraph 3 of resolution 1595 (2005), and Syria must cooperate with the Commission fully and unconditionally on that basis;

(c) the Commission shall have the authority to determine the location and modalities for interview of Syrian officials and individuals it deems relevant to the inquiry;

12. *Insists* that Syria not interfere in Lebanese domestic affairs, either directly or indirectly, refrain from any attempt aimed at destabilizing Lebanon, and respect scrupulously the sovereignty, territorial integrity, unity and political independence of this country;

== IV ==

13. *Requests* the Commission to report to the Council on the progress of the inquiry by 15 December 2005, including on the cooperation received by the Commission from the Syrian authorities, or anytime before that date if the Commission deems that such cooperation does not meet the requirements of this resolution, so that the Council, if necessary, could consider further action;

14. *Expresses* its readiness to consider any additional request for assistance from the Lebanese Government to ensure that all those responsible for this crime are held accountable;

15. *Decides* to remain seized of the matter.

Annex

The following are the functions of the Committee established pursuant to paragraph 3 of this resolution:

1. To register as subject to the measures in paragraph 3 (a) in this resolution an individual designated by the Commission or the Government of Lebanon, provided that within two working days of receipt of such designation no member of the Committee objects, in which case the Committee shall meet within fifteen days to determine the applicability of the measures in paragraph 3 (a).

2. To approve exceptions to the measures established in paragraph 3 (a) on a case-by-case basis:

(i) with respect to the travel restrictions, where the Committee determines that such travel is justified on the ground of humanitarian need, including religious obligation, or where the Committee concludes that an exemption would otherwise further the objectives of this resolution;

(ii) with respect to the freezing of funds and other economic resources, where the Committee determines that such exceptions are necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges, or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges for routine holding or maintenance of frozen funds or other financial assets or economic resources;

3. To register the removal of an individual from the scope of the measures in paragraph 3 (a) upon notification from the Commission or the Government of Lebanon that the individual is no longer suspected of involvement in this terrorist act, provided that within two working days of receipt of such designation no member of the Committee objects, in which case the Committee shall meet within fifteen days to determine the removal of an individual from the scope of the measures in paragraph 3 (a).

4. To inform all Member States as to which individuals are subject to the measures in paragraph 3 (a).

United Nations S/RES/1637 (2005)

Security Council

Distr.: General
8 November 2005

Resolution 1637 (2005)

Adopted by the Security Council at its 5300th meeting, on 8 November 2005

The Security Council,

Welcoming the beginning of a new phase in Iraq's transition and looking forward to the completion of the political transition process as well as to the day Iraqi forces assume full responsibility for the maintenance of security and stability in their country, thus allowing the completion of the multinational force mandate,

Recalling all of its previous relevant resolutions on Iraq,

Reaffirming the independence, sovereignty, unity, and territorial integrity of Iraq,

Reaffirming also the right of the Iraqi people freely to determine their own political future and control their own natural resources,

Welcoming the commitment of the Transitional Government of Iraq to work towards a federal, democratic, pluralistic, and unified Iraq, in which there is full respect for political and human rights,

Calling upon the international community, particularly countries in the region and Iraq's neighbours, to support the Iraqi people in their pursuit of peace, stability, security, democracy, and prosperity, and *noting* the contribution that the successful implementation of this resolution will bring to regional stability,

Welcoming the assumption of full governmental authority by the Interim Government of Iraq on 28 June 2004, the direct democratic elections of the Transitional National Assembly on 30 January 2005, the drafting of a new constitution for Iraq and the recent approval of the draft constitution by the people of Iraq on 15 October 2005,

Noting that the Government of Iraq established as a result of the election scheduled to take place by 15 December 2005 will play a critical role in continuing to promote national dialogue and reconciliation and in shaping the democratic future of Iraq and *reaffirming* the willingness of the international community to work closely with the Government of Iraq with respect to efforts to assist the Iraqi people,

Calling upon those who use violence in an attempt to subvert the political process to lay down their arms and participate in the political process, including in

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the election scheduled for 15 December, and encouraging the Government of Iraq to engage with all those who renounce violence and to promote a political atmosphere conducive to national reconciliation and political competition through peaceful democratic means,

Reaffirming that acts of terrorism must not be allowed to disrupt Iraq's political and economic transition, and further *reaffirming* the obligations of Member States under resolution 1618 (2005) of 4 August 2005 and other relevant resolutions and international obligations with respect, inter alia, to terrorist activities in and from Iraq or against its citizens,

Recognizing the request conveyed in the letter of 27 October 2005 from the Prime Minister of Iraq to the President of the Council, which is annexed to this resolution, to retain the presence of the multinational force in Iraq, and *further recognizing* the importance of consent of the sovereign Government of Iraq for the presence of the multinational force and of close coordination between the multinational force and that government,

Welcoming the willingness of the multinational force to continue efforts to contribute to the maintenance of security and stability in Iraq, including participating in the provision of humanitarian and reconstruction assistance, as described in the letter of 29 October 2005 from the United States Secretary of State to the President of the Council, which is annexed to this resolution,

Recognizing the tasks and arrangements set out in the letters annexed to resolution 1546 (2004) of 8 June 2004 and the cooperative implementation by the Government of Iraq and the multinational force of those arrangements,

Affirming the importance for all forces promoting the maintenance of security and stability in Iraq to act in accordance with international law, including obligations under international humanitarian law, and to cooperate with relevant international organizations, and *welcoming* their commitments in this regard,

Recalling the establishment of the United Nations Assistance Mission for Iraq (UNAMI) on 14 August 2003, *underlining* the particular importance of UNAMI assistance for the upcoming election by 15 December 2005 of a government pursuant to a newly adopted Constitution, and *affirming* that the United Nations should continue to play a leading role in assisting the Iraqi people and government with further political and economic development, including advising and supporting the Government of Iraq, as well as the Independent Electoral Commission of Iraq, contributing to coordination and delivery of reconstruction, development and humanitarian assistance, and promoting the protection of human rights, national reconciliation, as well as judicial and legal reform in order to strengthen the rule of law in Iraq,

Recognizing that international support for security and stability is essential to the well-being of the people of Iraq as well as the ability of all concerned, including the United Nations, to carry out their work on behalf of the people of Iraq, and *expressing* appreciation for Member State contributions in this regard under resolution 1483 (2003) of 22 May 2003, resolution 1511 (2003) of 16 October 2003 and resolution 1546 (2004),

Recognizing that the Government of Iraq will continue to have the primary role in coordinating international assistance to Iraq and *reaffirming* the importance

of international assistance and development of the Iraqi economy and the importance of coordinated donor assistance,

Recognizing the significant role of the Development Fund for Iraq and the International Advisory and Monitoring Board in helping the Government of Iraq to ensure that Iraq's resources are being used transparently and equitably for the benefit of the people of Iraq,

Determining that the situation in Iraq continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Notes* that the presence of the multinational force in Iraq is at the request of the Government of Iraq and, having regard to the letters annexed to this resolution, *reaffirms* the authorization for the multinational force as set forth in resolution 1546 (2004) and *decides* to extend the mandate of the multinational force as set forth in that resolution until 31 December 2006;

2. *Decides* further that the mandate for the multinational force shall be reviewed at the request of the Government of Iraq or no later than 15 June 2006, and *declares* that it will terminate this mandate earlier if requested by the Government of Iraq;

3. *Decides* to extend until 31 December 2006 the arrangements established in paragraph 20 of resolution 1483 (2003) for the depositing into the Development Fund for Iraq of proceeds from export sales of petroleum, petroleum products, and natural gas and the arrangements referred to in paragraph 12 of resolution 1483 (2003) and paragraph 24 of resolution 1546 (2004) for the monitoring of the Development Fund for Iraq by the International Advisory and Monitoring Board;

4. *Decides* further that the provisions in the above paragraph for the deposit of proceeds into the Development Fund for Iraq and for the role of the International Advisory and Monitoring Board shall be reviewed at the request of the Government of Iraq or no later than 15 June 2006;

5. *Requests* that the Secretary-General continue to report to the Council on UNAMI's operations in Iraq on a quarterly basis;

6. *Requests* that the United States, on behalf of the multinational force, continue to report to the Council on the efforts and progress of this force on a quarterly basis;

7. *Decides* to remain actively seized of the matter.

United Nations S/RES/1637 (2005)*

Security Council

Distr.: General
9 November 2005

Resolution 1637 (2005)

Adopted by the Security Council at its 5300th meeting, on 8 November 2005

The Security Council,

Welcoming the beginning of a new phase in Iraq's transition and looking forward to the completion of the political transition process as well as to the day Iraqi forces assume full responsibility for the maintenance of security and stability in their country, thus allowing the completion of the multinational force mandate,

Recalling all of its previous relevant resolutions on Iraq,

Reaffirming the independence, sovereignty, unity, and territorial integrity of Iraq,

Reaffirming also the right of the Iraqi people freely to determine their own political future and control their own natural resources,

Welcoming the commitment of the Transitional Government of Iraq to work towards a federal, democratic, pluralistic, and unified Iraq, in which there is full respect for political and human rights,

Calling upon the international community, particularly countries in the region and Iraq's neighbours, to support the Iraqi people in their pursuit of peace, stability, security, democracy, and prosperity, and *noting* the contribution that the successful implementation of this resolution will bring to regional stability,

Welcoming the assumption of full governmental authority by the Interim Government of Iraq on 28 June 2004, the direct democratic elections of the Transitional National Assembly on 30 January 2005, the drafting of a new constitution for Iraq and the recent approval of the draft constitution by the people of Iraq on 15 October 2005,

Noting that the Government of Iraq established as a result of the election scheduled to take place by 15 December 2005 will play a critical role in continuing to promote national dialogue and reconciliation and in shaping the democratic future of Iraq and *reaffirming* the willingness of the international community to work closely with the Government of Iraq with respect to efforts to assist the Iraqi people,

* Reissued for technical reasons.

05-59277* (E)

Calling upon those who use violence in an attempt to subvert the political process to lay down their arms and participate in the political process, including in the election scheduled for 15 December, and encouraging the Government of Iraq to engage with all those who renounce violence and to promote a political atmosphere conducive to national reconciliation and political competition through peaceful democratic means,

Reaffirming that acts of terrorism must not be allowed to disrupt Iraq's political and economic transition, and further *reaffirming* the obligations of Member States under resolution 1618 (2005) of 4 August 2005 and other relevant resolutions and international obligations with respect, inter alia, to terrorist activities in and from Iraq or against its citizens,

Recognizing the request conveyed in the letter of 27 October 2005 from the Prime Minister of Iraq to the President of the Council, which is annexed to this resolution, to retain the presence of the multinational force in Iraq, and *further recognizing* the importance of consent of the sovereign Government of Iraq for the presence of the multinational force and of close coordination between the multinational force and that government,

Welcoming the willingness of the multinational force to continue efforts to contribute to the maintenance of security and stability in Iraq, including participating in the provision of humanitarian and reconstruction assistance, as described in the letter of 29 October 2005 from the United States Secretary of State to the President of the Council, which is annexed to this resolution,

Recognizing the tasks and arrangements set out in the letters annexed to resolution 1546 (2004) of 8 June 2004 and the cooperative implementation by the Government of Iraq and the multinational force of those arrangements,

Affirming the importance for all forces promoting the maintenance of security and stability in Iraq to act in accordance with international law, including obligations under international humanitarian law, and to cooperate with relevant international organizations, and *welcoming* their commitments in this regard,

Recalling the establishment of the United Nations Assistance Mission for Iraq (UNAMI) on 14 August 2003, *underlining* the particular importance of UNAMI assistance for the upcoming election by 15 December 2005 of a government pursuant to a newly adopted Constitution, and *affirming* that the United Nations should continue to play a leading role in assisting the Iraqi people and government with further political and economic development, including advising and supporting the Government of Iraq, as well as the Independent Electoral Commission of Iraq, contributing to coordination and delivery of reconstruction, development and humanitarian assistance, and promoting the protection of human rights, national reconciliation, as well as judicial and legal reform in order to strengthen the rule of law in Iraq,

Recognizing that international support for security and stability is essential to the well-being of the people of Iraq as well as the ability of all concerned, including the United Nations, to carry out their work on behalf of the people of Iraq, and *expressing* appreciation for Member State contributions in this regard under resolution 1483 (2003) of 22 May 2003, resolution 1511 (2003) of 16 October 2003 and resolution 1546 (2004),

Recognizing that the Government of Iraq will continue to have the primary role in coordinating international assistance to Iraq and *reaffirming* the importance of international assistance and development of the Iraqi economy and the importance of coordinated donor assistance,

Recognizing the significant role of the Development Fund for Iraq and the International Advisory and Monitoring Board in helping the Government of Iraq to ensure that Iraq's resources are being used transparently and equitably for the benefit of the people of Iraq,

Determining that the situation in Iraq continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Notes* that the presence of the multinational force in Iraq is at the request of the Government of Iraq and, having regard to the letters annexed to this resolution, *reaffirms* the authorization for the multinational force as set forth in resolution 1546 (2004) and *decides* to extend the mandate of the multinational force as set forth in that resolution until 31 December 2006;

2. *Decides* further that the mandate for the multinational force shall be reviewed at the request of the Government of Iraq or no later than 15 June 2006, and *declares* that it will terminate this mandate earlier if requested by the Government of Iraq;

3. *Decides* to extend until 31 December 2006 the arrangements established in paragraph 20 of resolution 1483 (2003) for the depositing into the Development Fund for Iraq of proceeds from export sales of petroleum, petroleum products, and natural gas and the arrangements referred to in paragraph 12 of resolution 1483 (2003) and paragraph 24 of resolution 1546 (2004) for the monitoring of the Development Fund for Iraq by the International Advisory and Monitoring Board;

4. *Decides* further that the provisions in the above paragraph for the deposit of proceeds into the Development Fund for Iraq and for the role of the International Advisory and Monitoring Board shall be reviewed at the request of the Government of Iraq or no later than 15 June 2006;

5. *Requests* that the Secretary-General continue to report to the Council on UNAMI's operations in Iraq on a quarterly basis;

6. *Requests* that the United States, on behalf of the multinational force, continue to report to the Council on the efforts and progress of this force on a quarterly basis;

7. *Decides* to remain actively seized of the matter.

Annex I

Letter dated 27 October 2005 from the Prime Minister of Iraq addressed to the President of the Security Council

[Original: Arabic]

Sir,

On 15 December 2005 Iraq voted in a general referendum held at the national level for the purpose of approving a new Constitution for Iraq. The country thus took another important step towards building a strong democratic future and establishing a Government elected in accordance with a permanent Constitution. At the same time, Iraq is approaching the completion of its political transformation through the process of electing its future legislative authority and forming a new Government, which is to take place in December 2005. There still remains an extensive agenda for reconstruction and political development, the realization of which will require security and stability.

We are proceeding towards political stability and economic prosperity and taking fundamental steps towards restoring security and stability. Yet Iraq is still confronted by forces of terrorism that incorporate foreign elements which carry out horrific attacks and terrorist acts in an attempt to thwart political and economic development in Iraq. The Iraqi security forces, which are growing in size, capacity and experience day by day, need more time to fill out their ranks, fully equip themselves and complete their training with a view to assuming responsibility for all security matters and providing adequate security for the Iraqi people. Until such time as the Iraqi security forces assume full responsibility for Iraq's security, we need the continued support of the international community, including the participation of the Multinational Force, in order to establish lasting peace and security in Iraq. We understand that the Multinational Force is willing to continue its efforts. We therefore request the Security Council to extend, for a period of 12 months starting 31 December 2005, the mandate of the Multinational Force, as provided in Council resolution 1546 (2004), including the tasks and arrangements specified in the letters annexed thereto, with the proviso that the Council shall review that mandate upon being so requested by the Government of Iraq or at the end of a period of eight months from the date of the resolution and declare, in the extension, that it will terminate the mandate before the expiry of that period should the Government of Iraq so request.

The Government of Iraq believes that the provisions of resolution 1546 (2004) relating to the deposit of proceeds into the Development Fund for Iraq and the role of the International Advisory and Monitoring Board will help to ensure that Iraq's natural resources are used for the benefit of the Iraqi people. We understand that the funds deposited in the Development Fund for Iraq belong to Iraq and will continue to enjoy the immunities and privileges of the Fund, given the importance of those terms for the Iraqi people during this critical period. We request the Security Council to extend the validity of those terms for an additional 12 months and to review them upon being so requested by the Government of Iraq or at the end of a period of eight months from the date of the resolution.

The Iraqi people are determined to establish for themselves a stable, peaceful democracy, which will provide the basis for the establishment of a vibrant economy.

This vision of Iraq's future can become a reality with the help of the international community.

It is my understanding that the sponsors intend to have the present letter annexed to the resolution on Iraq currently being drafted. In the meantime, I should be grateful if you would have copies of this letter circulated to the members of the Security Council as soon as possible.

(*Signed*) Ibrahim Aleshaiker **Al-Jaafari**
Prime Minister

27 October 2005

Annex II

Letter dated 29 October 2005 from the Secretary of State of the United States of America to the President of the Security Council

Having reviewed the request of the Government of Iraq to extend the mandate of the Multinational Force (MNF) in Iraq (S/2005/687) and following consultations with the Government of Iraq, I am writing to confirm, consistent with this request, that the MNF under unified command stands ready to continue to fulfil its mandate as set out in Security Council resolution 1546 (2004).

Since the end of the occupation on 28 June 2004, the Government of Iraq and the MNF have developed an effective and cooperative security partnership to address the evolving nature of Iraq's security environment, including the continuing need to prevent and deter acts of terrorism. This partnership plays a critical role in the daily efforts to improve security throughout Iraq. In the context of this partnership, the MNF is prepared to continue to undertake a broad range of tasks to contribute to the maintenance of security and stability and to ensure force protection, acting under the authorities set forth in resolution 1546 (2004), including the tasks and arrangements set out in the letters annexed thereto, and in close cooperation with the Government of Iraq. The forces that make up the MNF will remain committed to acting consistently with their obligations under international law, including the law of armed conflict.

Substantial progress has already been made in helping to build and train the Iraqi Security Forces (ISF), allowing them to take on increasing security responsibilities. The Government of Iraq and the MNF are developing a security plan to set forth the conditions necessary for transfer of security responsibility from the MNF to the ISF. Conditions permitting, we look forward to notable progress in the next year. Together, we will build towards the day when the Iraqi forces assume full responsibility for the maintenance of security and stability in Iraq.

The co-sponsors intend to annex the present letter to the resolution on Iraq under consideration. In the meantime, I request that you provide copies of the present letter to members of the Council as quickly as possible.

(*Signed*) Condoleezza **Rice**

United Nations S/RES/1637 (2005)**

Security Council

Distr.: General
11 November 2005

Resolution 1637 (2005)

Adopted by the Security Council at its 5300th meeting, on 8 November 2005

The Security Council,

Welcoming the beginning of a new phase in Iraq's transition and looking forward to the completion of the political transition process as well as to the day Iraqi forces assume full responsibility for the maintenance of security and stability in their country, thus allowing the completion of the multinational force mandate,

Recalling all of its previous relevant resolutions on Iraq,

Reaffirming the independence, sovereignty, unity, and territorial integrity of Iraq,

Reaffirming also the right of the Iraqi people freely to determine their own political future and control their own natural resources,

Welcoming the commitment of the Transitional Government of Iraq to work towards a federal, democratic, pluralistic, and unified Iraq, in which there is full respect for political and human rights,

Calling upon the international community, particularly countries in the region and Iraq's neighbours, to support the Iraqi people in their pursuit of peace, stability, security, democracy, and prosperity, and *noting* the contribution that the successful implementation of this resolution will bring to regional stability,

Welcoming the assumption of full governmental authority by the Interim Government of Iraq on 28 June 2004, the direct democratic elections of the Transitional National Assembly on 30 January 2005, the drafting of a new constitution for Iraq and the recent approval of the draft constitution by the people of Iraq on 15 October 2005,

Noting that the Government of Iraq established as a result of the election scheduled to take place by 15 December 2005 will play a critical role in continuing to promote national dialogue and reconciliation and in shaping the democratic future of Iraq and *reaffirming* the willingness of the international community to work closely with the Government of Iraq with respect to efforts to assist the Iraqi people,

** Second reissue for technical reasons.

05-59277** (E)

Calling upon those who use violence in an attempt to subvert the political process to lay down their arms and participate in the political process, including in the election scheduled for 15 December, and encouraging the Government of Iraq to engage with all those who renounce violence and to promote a political atmosphere conducive to national reconciliation and political competition through peaceful democratic means,

Reaffirming that acts of terrorism must not be allowed to disrupt Iraq's political and economic transition, and further *reaffirming* the obligations of Member States under resolution 1618 (2005) of 4 August 2005 and other relevant resolutions and international obligations with respect, inter alia, to terrorist activities in and from Iraq or against its citizens,

Recognizing the request conveyed in the letter of 27 October 2005 from the Prime Minister of Iraq to the President of the Council, which is annexed to this resolution, to retain the presence of the multinational force in Iraq, and *further recognizing* the importance of consent of the sovereign Government of Iraq for the presence of the multinational force and of close coordination between the multinational force and that government,

Welcoming the willingness of the multinational force to continue efforts to contribute to the maintenance of security and stability in Iraq, including participating in the provision of humanitarian and reconstruction assistance, as described in the letter of 29 October 2005 from the United States Secretary of State to the President of the Council, which is annexed to this resolution,

Recognizing the tasks and arrangements set out in the letters annexed to resolution 1546 (2004) of 8 June 2004 and the cooperative implementation by the Government of Iraq and the multinational force of those arrangements,

Affirming the importance for all forces promoting the maintenance of security and stability in Iraq to act in accordance with international law, including obligations under international humanitarian law, and to cooperate with relevant international organizations, and *welcoming* their commitments in this regard,

Recalling the establishment of the United Nations Assistance Mission for Iraq (UNAMI) on 14 August 2003, *underlining* the particular importance of UNAMI assistance for the upcoming election by 15 December 2005 of a government pursuant to a newly adopted Constitution, and *affirming* that the United Nations should continue to play a leading role in assisting the Iraqi people and government with further political and economic development, including advising and supporting the Government of Iraq, as well as the Independent Electoral Commission of Iraq, contributing to coordination and delivery of reconstruction, development and humanitarian assistance, and promoting the protection of human rights, national reconciliation, as well as judicial and legal reform in order to strengthen the rule of law in Iraq,

Recognizing that international support for security and stability is essential to the well-being of the people of Iraq as well as the ability of all concerned, including the United Nations, to carry out their work on behalf of the people of Iraq, and *expressing* appreciation for Member State contributions in this regard under resolution 1483 (2003) of 22 May 2003, resolution 1511 (2003) of 16 October 2003 and resolution 1546 (2004),

Recognizing that the Government of Iraq will continue to have the primary role in coordinating international assistance to Iraq and *reaffirming* the importance of international assistance and development of the Iraqi economy and the importance of coordinated donor assistance,

Recognizing the significant role of the Development Fund for Iraq and the International Advisory and Monitoring Board in helping the Government of Iraq to ensure that Iraq's resources are being used transparently and equitably for the benefit of the people of Iraq,

Determining that the situation in Iraq continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Notes* that the presence of the multinational force in Iraq is at the request of the Government of Iraq and, having regard to the letters annexed to this resolution, *reaffirms* the authorization for the multinational force as set forth in resolution 1546 (2004) and *decides* to extend the mandate of the multinational force as set forth in that resolution until 31 December 2006;

2. *Decides* further that the mandate for the multinational force shall be reviewed at the request of the Government of Iraq or no later than 15 June 2006, and *declares* that it will terminate this mandate earlier if requested by the Government of Iraq;

3. *Decides* to extend until 31 December 2006 the arrangements established in paragraph 20 of resolution 1483 (2003) for the depositing into the Development Fund for Iraq of proceeds from export sales of petroleum, petroleum products, and natural gas and the arrangements referred to in paragraph 12 of resolution 1483 (2003) and paragraph 24 of resolution 1546 (2004) for the monitoring of the Development Fund for Iraq by the International Advisory and Monitoring Board;

4. *Decides* further that the provisions in the above paragraph for the deposit of proceeds into the Development Fund for Iraq and for the role of the International Advisory and Monitoring Board shall be reviewed at the request of the Government of Iraq or no later than 15 June 2006;

5. *Requests* that the Secretary-General continue to report to the Council on UNAMI's operations in Iraq on a quarterly basis;

6. *Requests* that the United States, on behalf of the multinational force, continue to report to the Council on the efforts and progress of this force on a quarterly basis;

7. *Decides* to remain actively seized of the matter.

Annex I

Letter dated 27 October 2005 from the Prime Minister of Iraq addressed to the President of the Security Council

[Original: Arabic]

Sir,

On 15 October 2005 Iraq voted in a general referendum held at the national level for the purpose of approving a new Constitution for Iraq. The country thus took another important step towards building a strong democratic future and establishing a Government elected in accordance with a permanent Constitution. At the same time, Iraq is approaching the completion of its political transformation through the process of electing its future legislative authority and forming a new Government, which is to take place in December 2005. There still remains an extensive agenda for reconstruction and political development, the realization of which will require security and stability.

We are proceeding towards political stability and economic prosperity and taking fundamental steps towards restoring security and stability. Yet Iraq is still confronted by forces of terrorism that incorporate foreign elements which carry out horrific attacks and terrorist acts in an attempt to thwart political and economic development in Iraq. The Iraqi security forces, which are growing in size, capacity and experience day by day, need more time to fill out their ranks, fully equip themselves and complete their training with a view to assuming responsibility for all security matters and providing adequate security for the Iraqi people. Until such time as the Iraqi security forces assume full responsibility for Iraq's security, we need the continued support of the international community, including the participation of the Multinational Force, in order to establish lasting peace and security in Iraq. We understand that the Multinational Force is willing to continue its efforts. We therefore request the Security Council to extend, for a period of 12 months starting 31 December 2005, the mandate of the Multinational Force, as provided in Council resolution 1546 (2004), including the tasks and arrangements specified in the letters annexed thereto, with the proviso that the Council shall review that mandate upon being so requested by the Government of Iraq or at the end of a period of eight months from the date of the resolution and declare, in the extension, that it will terminate the mandate before the expiry of that period should the Government of Iraq so request.

The Government of Iraq believes that the provisions of resolution 1546 (2004) relating to the deposit of proceeds into the Development Fund for Iraq and the role of the International Advisory and Monitoring Board will help to ensure that Iraq's natural resources are used for the benefit of the Iraqi people. We understand that the funds deposited in the Development Fund for Iraq belong to Iraq and will continue to enjoy the immunities and privileges of the Fund, given the importance of those terms for the Iraqi people during this critical period. We request the Security Council to extend the validity of those terms for an additional 12 months and to review them upon being so requested by the Government of Iraq or at the end of a period of eight months from the date of the resolution.

The Iraqi people are determined to establish for themselves a stable, peaceful democracy, which will provide the basis for the establishment of a vibrant economy.

This vision of Iraq's future can become a reality with the help of the international community.

It is my understanding that the sponsors intend to have the present letter annexed to the resolution on Iraq currently being drafted. In the meantime, I should be grateful if you would have copies of this letter circulated to the members of the Security Council as soon as possible.

(*Signed*) Ibrahim Aleshaiker **Al-Jaafari**
Prime Minister

27 October 2005

Annex II

Letter dated 29 October 2005 from the Secretary of State of the United States of America to the President of the Security Council

Having reviewed the request of the Government of Iraq to extend the mandate of the Multinational Force (MNF) in Iraq (S/2005/687) and following consultations with the Government of Iraq, I am writing to confirm, consistent with this request, that the MNF under unified command stands ready to continue to fulfil its mandate as set out in Security Council resolution 1546 (2004).

Since the end of the occupation on 28 June 2004, the Government of Iraq and the MNF have developed an effective and cooperative security partnership to address the evolving nature of Iraq's security environment, including the continuing need to prevent and deter acts of terrorism. This partnership plays a critical role in the daily efforts to improve security throughout Iraq. In the context of this partnership, the MNF is prepared to continue to undertake a broad range of tasks to contribute to the maintenance of security and stability and to ensure force protection, acting under the authorities set forth in resolution 1546 (2004), including the tasks and arrangements set out in the letters annexed thereto, and in close cooperation with the Government of Iraq. The forces that make up the MNF will remain committed to acting consistently with their obligations under international law, including the law of armed conflict.

Substantial progress has already been made in helping to build and train the Iraqi Security Forces (ISF), allowing them to take on increasing security responsibilities. The Government of Iraq and the MNF are developing a security plan to set forth the conditions necessary for transfer of security responsibility from the MNF to the ISF. Conditions permitting, we look forward to notable progress in the next year. Together, we will build towards the day when the Iraqi forces assume full responsibility for the maintenance of security and stability in Iraq.

The co-sponsors intend to annex the present letter to the resolution on Iraq under consideration. In the meantime, I request that you provide copies of the present letter to members of the Council as quickly as possible.

(*Signed*) Condoleezza **Rice**

United Nations S/RES/1638 (2005)

Security Council

Distr.: General
11 November 2005

Resolution 1638 (2005)

Adopted by the Security Council at its 5304th meeting, on 11 November 2005

The Security Council,

Recalling its previous resolutions and the statements of its President concerning Liberia, Sierra Leone, and West Africa,

Affirming its commitment to the sovereignty, political independence and territorial integrity of Liberia,

Expressing its appreciation to Nigeria and its President, Olusegun Obasanjo, for their contributions to restoring stability in Liberia and the West African subregion, and acknowledging that Nigeria acted with broad international support when it decided to provide for the temporary stay of former President Charles Taylor in Nigeria,

Stressing that former President Taylor remains under indictment by the Special Court for Sierra Leone and *determining* that his return to Liberia would constitute an impediment to stability and a threat to the peace of Liberia and to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Mission in Liberia (UNMIL) shall include the following additional element: to apprehend and detain former President Charles Taylor in the event of a return to Liberia and to transfer him or facilitate his transfer to Sierra Leone for prosecution before the Special Court for Sierra Leone and to keep the Liberian Government, the Sierra Leonean Government and the Council fully informed;

2. *Decides* to remain actively seized of the matter.

05-60030 (E)

United Nations S/RES/1639 (2005)

Security Council

Distr.: General
21 November 2005

Resolution 1639 (2005)

Adopted by the Security Council at its 5307th meeting, on 21 November 2005

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia and relevant statements of its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002, 1491 (2003) of 11 July 2003, 1551 (2004) of 9 July 2004 and 1575 (2004) of 22 November 2004,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the High Representative's continued role in Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes thereto (collectively the Peace Agreement, S/1995/999, annex), as well as the relevant decisions of the Peace Implementation Council (PIC),

Recalling all the agreements concerning the status of forces referred to in Appendix B to Annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

Further recalling the provisions of its resolution 1551 (2004) concerning the provisional application of the status of forces agreements contained in Appendix B to Annex 1-A of the Peace Agreement,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational stabilization force (EUFOR), the Senior Military Representative and personnel of the NATO Headquarters Sarajevo, the Organization for Security and Cooperation in Europe (OSCE), the European Union (EU) and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the Ministerial meetings of the Peace Implementation Conference,

Recognizing that full implementation of the Peace Agreement is not yet complete, while *paying tribute* to the achievements of the authorities at State and entity level in Bosnia and Herzegovina and of the international community in the ten years since the signing of the Peace Agreement,

Emphasizing the importance of Bosnia and Herzegovina's progress towards Euro-Atlantic integration on the basis of the Peace Agreement, while *recognizing* the importance of Bosnia and Herzegovina's transition to a functional, reform-oriented, modern and democratic European country,

Noting the reports of the High Representative, including his latest report of 14 October 2005 (S/2005/698, annex),

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994 and the statement of its President on 10 February 2000 (S/PRST/2000/4),

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Taking note of the conclusions of EU Foreign Ministers at their meeting of 13 June, which refer to the requirement for EUFOR to remain in Bosnia and Herzegovina beyond 2005, and confirm the EU's intention to take the steps necessary to that end,

Recalling the letters between the European Union and NATO sent to the Security Council on 19 November 2004 on how those organizations will cooperate together in Bosnia and Herzegovina in which both organizations recognize that the EUFOR will have the main peace stabilization role under the military aspects of the Peace Agreement (S/2004/916; S/2004/915),

Further recalling the confirmation by the Presidency of Bosnia and Herzegovina, on behalf of Bosnia and Herzegovina, including its constituent entities, of the arrangements for EUFOR and the NATO Headquarters presence (S/2004/917),

Welcoming the European Union's increased engagement in Bosnia and Herzegovina and the continued engagement of NATO,

Further welcoming tangible signs of Bosnia and Herzegovina's progress towards the European Union, and, in particular, the decision by the EU to open negotiations with Bosnia and Herzegovina on a Stabilization and Association Agreement, and *calling* on the authorities in Bosnia and Herzegovina to implement in full their undertakings, including on police reform, as part of that process,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* once again its support for the Peace Agreement, as well as for the Dayton Paris Agreement on implementing the Federation of Bosnia and Herzegovina of 10 November 1995 (S/1995/1021, annex) and *calls upon* the parties to comply strictly with their obligations under those Agreements;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Former Yugoslavia, in strengthening joint institutions, which foster the building of a fully functioning self-sustaining State, able to integrate itself into the European structures and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and *underlines* that full cooperation by States and entities with the International Tribunal includes, inter alia, the surrender for trial or apprehension of all persons indicted by the Tribunal and provision of information to assist in Tribunal investigations;

4. *Emphasizes* its full support for the continued role of the High Representative in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and *reaffirms* that under Annex 10 of the Peace Agreement the High Representative is the final authority in theatre regarding the interpretation of civilian implementation of the Peace Agreement and that in case of dispute he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn on 9 and 10 December 1997;

5. *Expresses* its support for the declarations of the Ministerial meetings of the Peace Implementation Conference;

6. *Reaffirms* its intention to keep implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 21 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

7. *Recalls* the support of the authorities of Bosnia and Herzegovina for the EU force and the continued NATO presence and their confirmation that both are the legal successors to SFOR for the fulfilment of their missions for the purposes of the Peace Agreement, its Annexes and Appendices and relevant United Nations Security Council resolutions and can take such actions as are required, including the use of

force, to ensure compliance with Annexes 1-A and 2 of the Peace Agreement and relevant United Nations Security Council resolutions;

8. *Pays tribute* to those Member States which participated in the multinational stabilization force (EUFOR), and in the continued NATO presence, established in accordance with its resolution 1575 (2004), and welcomes their willingness to assist the Parties to the Peace Agreement by continuing to deploy a multinational stabilization force (EUFOR) and by maintaining a continued NATO presence;

9. *Welcomes* the EU's intention to maintain an EU military operation to Bosnia and Herzegovina from November 2005;

10. *Authorizes* the Member States acting through or in cooperation with the EU to establish for a further period of 12 months, starting from the date of the adoption of this resolution, a multinational stabilization force (EUFOR) as a legal successor to SFOR under unified command and control, which will fulfil its missions in relation to the implementation of Annex 1-A and Annex 2 of the Peace Agreement in cooperation with the NATO Headquarters presence in accordance with the arrangements agreed between NATO and the EU as communicated to the Security Council in their letters of 19 November 2004, which recognize that the EUFOR will have the main peace stabilization role under the military aspects of the Peace Agreement;

11. *Welcomes* the decision of NATO to continue to maintain a presence in Bosnia and Herzegovina in the form of a NATO Headquarters in order to continue to assist in implementing the Peace Agreement in conjunction with EUFOR and *authorizes* the Member States acting through or in cooperation with NATO to continue to maintain a NATO Headquarters as a legal successor to SFOR under unified command and control, which will fulfil its missions in relation to the implementation of Annex 1-A and Annex 2 of the Peace Agreement in cooperation with EUFOR in accordance with the arrangements agreed between NATO and the EU as communicated to the Security Council in their letters of 19 November 2004, which recognize that EUFOR will have the main peace stabilization role under the military aspects of the Peace Agreement;

12. *Reaffirms* that the Peace Agreement and the provisions of its previous relevant resolutions shall apply to and in respect of both EUFOR and the NATO presence as they have applied to and in respect of SFOR and that therefore references in the Peace Agreement, in particular in Annex 1-A and its appendices, and relevant resolutions to IFOR and/or SFOR, NATO and the NAC shall be read as applying, as appropriate, to the NATO presence, EUFOR, the European Union and the Political and Security Committee and Council of the European Union respectively;

13. *Expresses* its intention to consider the terms of further authorization as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

14. *Authorizes* the Member States acting under paragraphs 10 and 11 above to take all necessary measures to effect the implementation of and to ensure compliance with Annexes 1-A and 2 of the Peace Agreement, *stresses* that the parties shall continue to be held equally responsible for the compliance with that Annex and shall be equally subject to such enforcement action by EUFOR and the

NATO presence as may be necessary to ensure implementation of those Annexes and the protection of EUFOR and the NATO presence;

15. *Authorizes* Member States to take all necessary measures, at the request of either EUFOR or the NATO Headquarters, in defence of the EUFOR or NATO presence respectively, and to assist both organizations in carrying out their missions, and *recognizes* the right of both EUFOR and the NATO presence to take all necessary measures to defend themselves from attack or threat of attack;

16. *Authorizes* the Member States acting under paragraphs 10 and 11 above, in accordance with Annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

17. *Demands* that the parties respect the security and freedom of movement of EUFOR, the NATO presence, and other international personnel;

18. *Requests* the Member States acting through or in cooperation with the EU and the Member States acting through or in cooperation with NATO to report to the Council on the activity of EUFOR and NATO Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals;

19. *Invites* all States, in particular those in the region, to continue to *provide* appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 10 and 11 above;

20. *Reiterates its appreciation for* the deployment by the EU of its Police Mission (EUPM) to Bosnia and Herzegovina since 1 January 2003;

21. *Also requests* the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with Annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996 (S/1996/1012), and later Peace Implementation Conferences, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

22. *Decides* to remain seized of the matter.

United Nations S/RES/1640 (2005)

Security Council

Distr.: General
23 November 2005

Resolution 1640 (2005)

Adopted by the Security Council at its 5308th meeting, on 23 November 2005

The Security Council,

Reaffirming all its previous resolutions and statements pertaining to the situation between Eritrea and Ethiopia, and the requirements contained therein, including in particular resolution 1622 (2005) of 13 September 2005 and the statement of its President of 4 October 2005,

Expressing once again its grave concern at the decision of the Government of Eritrea of 4 October 2005 to restrict all types of United Nations Mission in Ethiopia and Eritrea helicopter flights within Eritrean airspace or coming to Eritrea, effective as of 5 October 2005, and the additional restrictions on UNMEE's freedom of movement imposed since then, which have serious implications for UNMEE's ability to carry out its mandate and for the safety of its staff, and the forces of the troop contributors,

Alarmed by the implications and potential impact of the aforementioned decision made and restrictions imposed by the Government of Eritrea with regard to the maintenance of peace and security between Eritrea and Ethiopia, and the principles governing United Nations Peacekeeping Operations,

Reaffirming the integrity of the Temporary Security Zone (TSZ) as provided in the Agreement on Cessation of Hostilities of 18 June 2000 (S/2000/601) and recalling the objectives behind its establishment,

Stressing that lasting peace between Ethiopia and Eritrea as well as in the region cannot be achieved without the full demarcation of the border between the parties,

Expressing its grave concern at the Ethiopian Government's failure, to date, to accept without preconditions the implementation of the final and binding decision of the Eritrea-Ethiopia Boundary Commission (S/2002/423),

Expressing its appreciation to Ambassador Kenzo Oshima for his visit to Ethiopia and Eritrea from 6 to 9 November 2005, in his capacity as Chairman of the Working Group on Peacekeeping Operations, *taking note* of his report (S/2005/723) and *welcoming* the observations made therein,

Noting with deep concern the high concentration of troops on both sides of the TSZ and *stressing* that the continuation of the situation would constitute a threat to international peace and security,

1. *Deeply deplores* Eritrea's continued imposition of restrictions on the freedom of movement of UNMEE and *demands* that the Government of Eritrea reverse, without further delay or preconditions, its decision to ban UNMEE helicopter flights, as well as additional restrictions imposed on the operations of UNMEE, and provide UNMEE with the access, assistance, support and protection required for the performance of its duties;

2. *Calls* on both parties to show maximum restraint and to refrain from any threat or use of force against each other and *demands* that both parties return to the 16 December 2004 levels of deployment, beginning with immediate effect and completing this redeployment within 30 days, in order to prevent aggravation of the situation;

3. *Requests* the Secretary-General to monitor the parties' compliance with the demands in paragraphs 1 and 2 above and to report to the Council 40 days after the adoption of this resolution;

4. *Expresses its determination* to consider further appropriate measures, including under Article 41 of the Charter of the United Nations, if one or both of the parties fail to comply with the demands in paragraphs 1 and 2 above;

5. *Demands* that Ethiopia accept fully and without further delay the final and binding decision of the Eritrea-Ethiopia Boundary Commission and take immediately concrete steps to enable, without preconditions, the Commission to demarcate the border completely and promptly and *expresses its determination* to monitor closely the actions of both parties in relation to the demarcation of the border and to keep this matter under consideration;

6. *Expresses* its deep appreciation for the contribution and dedication of the troop-contributing countries to the work of UNMEE and, in light of the risk of further deterioration of the situation, *appeals* to them to persevere in maintaining their presence and contribution to the activities of UNMEE, despite the immense difficulties which they are facing;

7. *Calls upon* both parties to work, without preconditions, to break the current stalemate through diplomatic efforts;

8. *Decides* to remain actively seized of the matter.

United Nations S/RES/1641 (2005)

Security Council

Distr.: General
30 November 2005

Resolution 1641 (2005)

Adopted by the Security Council at its 5311th meeting, on 30 November 2005

The Security Council,

Recalling its relevant resolutions on Burundi and in particular resolution 1545 of 21 May 2004,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Burundi, and *recalling* the importance of the principles of good-neighbourliness, non-interference and cooperation in the relations between States in the region,

Noting that factors of instability remain in Burundi, which continue to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate of the United Nations Operation in Burundi (ONUB) until 15 January 2006;

2. *Decides* to remain actively seized of the matter.

05-62350 (E)